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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE FEB 21 2007

Application Number	09994465	Docket Number	DT.0103-CP1
Filed	11/26/2001	Group Art Unit	3639
Examiner	FADEY S. JABR	Customer No.	23669
Application Title	INTERFACE FOR SELECTIVE MERCHANDISE PRICE OPTIMIZATION		
First Named Inventor	JOHN CLOSE		

### FACSIMILE COVER SHEET

To: Commissioner for Patents - Central Fax Number  
Fax Number: 571-273-8300

From: HUFFMAN PATENT GROUP, LLC  
Fax Number: (661) 460-1986

Pages: 4 (including this cover sheet)

Dear Sir:

Please accept the attached correspondence for the above-identified matter. I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,  
HUFFMAN PATENT GROUP, LLC

*/ Richard K. Huffman/*

By: \_\_\_\_\_

RICHARD K. HUFFMAN, P.E.  
Registration No. 41,082  
Tel: (719) 575-9998

*02/21/2007*

Date: \_\_\_\_\_

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION**

VIA FACSIMILE: 571-273-8300

Mail Stop **AMENDMENT**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

The owner, DemandTec Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09999079 (Docket: DT.0105), filed on 11/30/2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The owner, DemandTec Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09999078 (Docket: DT.0106), filed on 11/30/2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Application No. 09994465 (Docket: DT.0103-CP1)  
37 CFR 1.311(c) Terminal Disclaimer dated 02/21/2007

pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate. Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,  
**HUFFMAN PATENT GROUP, LLC**

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